

Examiner-Initiated Interview Summary

Application No.

09/895,843

Applicant(s)

BECK ET AL.

Examiner

Sudhaker B. Patel,
D.Sc.Tech.

Art Unit

1624

All Participants:

(1) Sudhaker B. Patel, D.Sc.Tech.

(2) Mr. S. Sarusi.

Status of Application: _____

(3) _____

(4) _____

Date of Interview: 17 September 2003

Time: _____

Type of Interview:

- ☒ Telephonic
☐ Video Conference
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No

If Yes, provide a brief description:

Part I.

Rejection(s) discussed:

Claim 1 and claim 170

Claims discussed:

Claim 1 and claim 170. Claim 170 is presented as dependent on cancelled claim 1.

Prior art documents discussed:

None.

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.

- ☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.
- ☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.


(Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: Examiner initiated the discussion by calling applicants to inform them that dependency of claim 170 should be changed to claim 176 which is now the compound claim 1. Applicants desired to have Office communication so that they can discuss the matter with their clients..

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. S. Sarussi on 9/17/03.

The application has been amended as follows:

Please delete [claim 1] as recited in claim 170 in page 9 of the amendment paper #17 dated 9/8/03, and replace with claim 176.

2. The following is an examiner's statement of reasons for allowance:

3. Applicants' communication paper # 17 dated 9/8/03 is acknowledged. Applicants have cancelled claims 1-103, 109, 125-129, 139-145, 147, 151-157, 162-167, 172-175, amended claims 104,110,116,122,130,132,146,148,160,168, and presented new claims 176-206. Therefore, claims under consideration are the claims 104-108,110-124,130-138,146,148-150,158-161,168-171,176-206. These claims are renumbered as claims 1-72.

4. Various cancellation of claims, amendments, and presentation of new claims together with applicants' arguments and remarks are sufficient for the withdrawal of rejections made under 35 U.S.C. 112 Para second.

5. The rejections made under DP against copending applications Sr. # 09895871, Sr. # 09896139, and Sr. # 10291318 are withdrawn because the instant claims as now

presented, are claiming derivatives of piperazine which do not encompass the co-pending claims.

6. Copies of signed IDS PTO Forms 1449 for paper # 4,8,11,12 are enclosed with this communication for applicants' record.

7. The closest prior art reference Dressman et al (WO 9509843 also cited as CAS abstract # 123:169523-1995:772556) teaches making of HIV protease inhibitor(s) (see compound on page 39 lines 9-12) with a core:

" **Substituted phenol**-CO-NH-CH (CH₂-S-Ph)-CH (OH)-CH₂-piperazine-N-CH₂-pyridine, wherein piperazine is further substituted on ring carbon atom with—CO-NH-alkyl group".

8. The ref. '843 differs from the instant claims by **not having** piperidine N substituted as —N-alkyl group, and additionally, by having 1,4-piperazine substituted by **—CO-NH-alkyl group**.

9. Dressman does not indicate or suggest arriving at the instant compounds with a core:". **Substituted 1,3-Benzenedicarboxamide** with 3-position occupied by --CO-NH-CH (CH₂ difluoro-Ph)-CH (OH)-CH₂-piperazine-N-CH₃".

7. Therefore the instant compounds of invention of Group IX are deemed to be novel and patentably distinct.

8. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sudhaker B. Patel, D.Sc.Tech. whose telephone number is 703 308 4709. The examiner can normally be reached on 6:30 to 5:00 pm (Monday-Thursday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dr. Mukund J. Shah can be reached on 703 308 4716 or Sr. Examiner Mr. Richard Raymond at (703) 308 4523.

The fax phone numbers for the organization where this application or proceeding is assigned are 703 308 4556 for regular communications and 703 308 4556 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 308 1235.

Sudhaker B.Patel, D.Sc.Tech.
September 16, 2003.

MUKUND SHAH
SUPERVISORY PATENT
EXAMINER
ART UNIT 1624